

OCT 24 2013

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

BARBARA FAYE ADKINS,
Plaintiff,

v.

DANVILLE CITY JAIL,
Defendant.

) Civil Action No. 7:13-cv-00468
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MEMORANDUM OPINION

By: Hon. Michael F. Urbanski
United States District Judge

Barbara Faye Adkins, a Virginia inmate proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983. The court must dismiss any action or claim filed by an inmate if the court determines that the action or claim is frivolous or fails to state a claim on which relief may be granted. See 28 U.S.C. § 1915A(b)(1); 42 U.S.C. § 1997e(c). To state a claim under § 1983, a plaintiff must allege “the violation of a right secured by the Constitution and laws of the United States, and must show that the alleged deprivation was committed by a person acting under color of state law.” West v. Atkins, 487 U.S. 42, 48 (1988). However, Plaintiff fails to name a person subject to liability via §1983 because she names only the Danville City Jail as a defendant. See McCoy v. Chesapeake Corr. Ctr., 788 F. Supp. 890, 894 (E.D. Va. 1992) (reasoning local jails are not appropriate defendants to § 1983 actions). Accordingly, Plaintiff presently fails to state a claim upon which relief may be granted, and the court dismisses the Complaint without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1).

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to Plaintiff.

ENTER: This 24th day of October, 2013.



United States District Judge